

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

WILLIAM E. DUGAN, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	CIVIL ACTION
vs.)	
)	NO. 08 C 2069
RICHARD M. SHEA, individually)	
and d/b/a SHEA'S IRON ERECTION)	JUDGE AMY J. ST. EVE
COMPANY,)	MAGISTRATE NAN NOLAN
)	
DEFENDANT.)	

PLAINTIFFS' INITIAL STATUS REPORT

Plaintiffs, WILLIAM E. DUGAN, *et al.*, by and through their attorneys, Baum Sigman Auerbach & Neuman, Ltd., hereby file this Initial Status Report.

I. Nature of the Case.

A. Plaintiffs' attorneys of record are: Catherine M. Chapman, Beverly P. Alfon, and Cecilia M. Scanlon. The lead trial attorney is Catherine M. Chapman.

B. Federal jurisdiction is based on the Employee Retirement Income Security Act of 1974, as amended, (hereinafter referred to as "ERISA"), 29 U.S. C. §§ 1132, 1145.

C. Plaintiffs are seeking an audit of the Defendant's payroll records and to recover any delinquent contributions, liquidated damages, and interest found due pursuant to such audit, plus the attorneys' fees and costs. The named Defendant, RICHARD M. SHEA, individually and d/b/a SHEA'S IRON ERECTION COMPANY, has not yet been served with the Complaint.

D. At this time, Plaintiffs anticipate a possible issue may be whether the Defendant will cooperate with an audit of its payroll books and records to determine whether fringe benefit contributions are due pursuant to the Collective Bargaining Agreement and applicable Agreements and Declarations of Trust.

E. Plaintiffs are seeking the relief provided under ERISA, §1132.

II. Pending Motions and Case Plan.

A. There are currently no pending Motions before the Court.

B. Plaintiffs are unable to propose a discovery plan for consideration by the Court at this time.

C. There is no jury demand in this case. If this case should proceed to trial, Plaintiffs do not anticipate a trial lasting more than one (1) or two (2) days. Plaintiffs are unable to ascertain when the case might be ready for trial.

III. Consent to Proceed before a Magistrate Judge.

A. Not applicable.

IV. Status of Settlement Discussions.

Plaintiffs and Defendant have not engaged in any settlement discussions in this matter.

/s/ Cecilia M. Scanlon

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